

Chapter 12.36**BENCHES, TELEPHONE BOOTHS, AND OTHER PUBLIC SERVICE ITEMS**

(581-4/52, 2292-8/78, 2574-10/82, 2935-4/88, 3401-10/98)

Sections:

- 12.36.010 Definitions
- 12.36.020 Franchise/Agreement
- 12.36.030 Limitations on Advertising in Public Rights-of-Way
- 12.36.040 Locational Criteria--Telephone Booths

12.36.010 Definitions. In this chapter, unless from the context a different meaning is intended, or unless a different meaning is specifically defined and more particularly directed to the use of such words:

- (a) "Bench" means a seat located upon public property, along any public way, for the accommodation of passersby or persons awaiting transportation. (2935-4/88)
- (b) "Street" means any public thoroughfare or way including the sidewalk, the parkway and any other public property bordering upon a public way. (581-4/52, 2935-4/88)

12.36.020 Franchise/Agreement. No person shall install or maintain any bench, transit shelter, telephone booth or other public service item which incorporates advertising panels on any street unless installed in accordance with a franchise agreement granted by the City Council. The provisions of this section shall not be construed to prohibit the installation and maintenance of benches, transit shelters, telephone booths or other public service items without advertising panels on any street, provided that a permit for each item has been obtained pursuant to section 12.12.020 of the Municipal Code.

Any bench which is in violation of the provisions of this section at the time of adoption of this ordinance shall be removed within thirty (30) days of the effective date of this ordinance.

(581-4/52, 2292-8/78, 2574-10/82, 2935-4/88)

12.36.030 Limitations on Advertising in Public Rights-of-Way. The following regulations shall limit advertising copy panels which are placed within the public right-of-way in accordance with this chapter and Section 12.12.020 of the Municipal Code:

- (a) Advertising shall be limited to product or service identification and to businesses which are not located on adjacent properties. Copy which includes arrows or directions to a location shall be prohibited.
- (b) No advertising for cigarettes or alcoholic beverages shall be permitted.
- (c) The maximum allowable advertising copy shall be two, twenty-four (24) square foot panels for bus benches/shelters. For telephone booths or structures, the maximum shall be two, eight (8) square foot panels.
- (d) In conformance with the City's Coastal Element, public service items located within the Coastal Zone shall not contain advertising for private businesses or services.
- (e) In conformance with the City's Downtown Design Guidelines, public service items located within the Downtown Specific Plan area shall not contain advertising for private businesses or services.

12.36.040 Locational Criteria--Telephone Booths. Prior to installation of any telephone booth or structure which incorporates advertising panels, a master plan of locations shall be approved by the Planning Commission. Minor amendments to an approved master plan may be subject to approval by the Director of Community Development. All locations shall conform with the following criteria:

- (a) The City and the vendor shall jointly decide upon the number and location of structures. If a dispute arises, both the City and the vendor retain the authority to direct that a location be deleted.
- (b) The minimum distance between telephone structures with advertising panels shall be five hundred (500) feet except at four corner intersections, where there may be a total of two such structures facing different directions.
- (c) Telephone structures shall be located to provide for adequate clearance in the sidewalk area. Specific locations shall be subject to the approval of the Public Works Department for safety, access, and circulation issues. (2935-4/88)